

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FERNANDO DUK,

Plaintiff-Appellant/Cross-Appellee,

v.

MGM GRAND HOTEL, INC., a Nevada
Corporation, dba MGM Grand Hotel, Casino
and Theme Park,

Defendant-Third-Party-
Plaintiff-Appellee/Cross-Appellant,

v.

AMERICAN MEDICAL RESPONSE;
CLARK COUNTY DETENTION CENTER;
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,

Third-party-Defendants/Cross-
Appellees.

No. 01-15841 and 01-16034

D.C. No. CV-95-00020-HDM

ORDER

Filed April 17, 2003

Before: D.W. NELSON, HAWKINS, and WARDLAW, Circuit Judges.

The Opinion filed on March 3, 2003, and appearing at 320 F.3d 1052 (9th Cir. 2003), is amended as follows:

Slip op. page 2897, lines 12-14: substitute “We order reinstatement of the second verdict and entry of judgment for the plaintiff, including such interest thereon as calculated by the district court” for “We order reinstatement of the second verdict and entry of judgment for the plaintiff.”

With this amendment, the panel denies as moot Appellant’s Motion to Amend Mandate, as the subject matter is addressed above in the amendment to the Opinion.

Judge D. W. Nelson recommended denial of MGM Grand Hotel, Inc.’s Petition for Rehearing En Banc. Judges Hawkins and Wardlaw voted to deny the Petition. The full court was advised of the Petition and no Judge requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The Petition for Rehearing En Banc is DENIED.